

DETAILED ACTION

Response to Amendment

1. This action is in response to the communication filed on 8/5/08.
2. Claims 12, 17-19, 21-22, 31-32, 36-38 and 40-45 were previously withdrawn from further consideration by applicant.
3. Claims 12, 17-19, 21-22, 31-32, 36-38 and 40-45 have been cancelled in this action (see attached Interview Summary and examiner's amendment).
4. Claims 1-11, 13-16, 20, 23-30, 33-35 and 39 are pending in this action.
5. Claims 1-11, 13-16, 20, 23-30, 33-35 and 39 are allowed.

EXAMINER'S AMENDMENT

An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it **MUST** be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Kacvinsky, John (Reg. NO. 40,040) on 10/9/08.

The application has been amended as follows:

Please cancel claims, 17-19, 21-22, 31-32, 36-38 and 40-45.

Allowable Subject Matter

Claims 1-11, 13-16, 20, 23-30, 33-35 and 39 are allowed.

The following is an examiner's statement of reasons for allowance:

As per claims 1-11, 13-16, 20, 23-30, 33-35 and 39: the claims are directed to channel/link diversity. The prior art of record does not explicitly teach or fairly suggest --- generating control signals to configure a base transceiver station to transmit selected data streams to a mobile communications device on an assigned communication channel of a multiple access protocol, wherein a mobile communications device receives the selected data streams through a plurality of electric dipole antennae and a plurality of magnetic dipole antennae, as recited, particularly in claims 1, 11, 20, 30, 39 and further argued by applicant.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Meless N. Zewdu whose telephone number is (571) 272-7873. The examiner can normally be reached on 8:30 am to 5:00 pm..

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Bost Dwayne D can be reached on (571) 272-7023. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Any inquiry of a general nature relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (571) 272-2600.

/Meless N Zewdu/
Primary Examiner, Art Unit 2617
10/17/2008